

REMARKS

Claims 1-20 are pending in this application. In this reply, no claims have been amended and no new matter has been added. Applicants request reconsideration of the rejections set forth in the Office Action mailed April 18, 2006 ("the Office Action") and allowance of this application for at least the following reasons.

Telephone Interview

Initially, Applicants would like to thank the Examiner for the courtesy of the telephone interview regarding the Office Action. The statements made herein are consistent with the discussion during the interview.

Anticipation Rejections

In the Office Action, claims 1-15 and 17-20 were rejected under 35 U.S.C. §102(e) as being anticipated by US 6,854,554 to Brandt et al. (Brandt). Applicants respectfully traverse this rejection. A proper anticipation rejection requires each and every element set forth in the claim to be found in a single prior art reference. See MPEP § 2131. The anticipation rejections set forth in the Office Action do not properly establish that Brandt discloses or suggests each of the claim limitations.

Brandt discloses a steering system for a machine including a left joystick 102 and a right joystick 104 having respective joystick sensors 106 and 108. See lines 9 to 11 of column 4 of Brandt. The left and right joysticks 102, 104 also include low pass filters 110 and 112 which filter out high frequency jitter provided by joystick position sensors 106, 108 and have the effect of filtering out rapid movements of the left and right joysticks 102, 104 which reduce undesirable steering characteristics based on

erroneous operator inputs due to vehicle bouncing or other movements. See lines 39 to 50 of column 4. Brandt also discloses that the filters 110, 112 may be implemented in hardware or software associated with a controller 116 which is configured to provide output control signals based on input control signals of the right and left joysticks 102, 104 that have maintained a steady state for a predetermined period of time. See lines 50 to 59 of column 4 of Brandt. Brandt additionally discloses that right and left joysticks 102, 104 include actuators 114 that may include a plurality of settable parameters and specifically discloses that such parameters can be set prior to use by changing the software associated therewith and that such parameters may establish predetermined operation of system components based on joystick displacement. See lines 15 to 22 and 52 to 59 of column 5 of Brandt. Brandt further discloses that actuators 114 may include a deadband input that may be positioned around the neutral position of the right and left joysticks 102, 104 and that the deadband may be set similarly to other settable parameters, i.e., set prior to use by changing the software to establish predetermined operation of system components. See lines 14 to 24 of column 6 of Brandt. Brandt is silent regarding, and thus does not disclose, any attributes of either the range of the filters 110, 112 or the parameters after being set, i.e., the filter ranges and parameters remain at their set values once set prior to use. That is, Brandt discloses a passive system including set and unchanged filter ranges and parameters.

Regarding independent claim 1, Brandt does not disclose or suggest, inter alia, a method for controlling a parameter of at least one signal including "determining a potential condition for receiving an undesired command signal from at least one other control input" and "adjusting a parameter of an undesired command signal received

from at least one other control input in response to the potential condition," as recited in independent claim 1. Brandt discloses setting parameters, including deadband, *prior to use*; after the parameters are set, they are not subsequently changed. See lines 57 to 59 of column 5 of Brandt. That is, Brandt discloses setting a parameter prior to use, i.e., establishing a constant parameter, and, thus, Brandt does not disclose adjusting a parameter of an undesired command signal in response to a potential condition for receiving an undesired command signal and therefore cannot anticipate claim 1. Accordingly, Applicants submit that independent claim 1 is allowable for at least these reasons and request reconsideration of the rejection set forth in the Office Action. Additionally, Applicants submit that dependent claims 2-7 and 17 are also allowable for these reasons as well as for their additional features.

Regarding independent claim 8, Brandt does not disclose or suggest, *inter alia*, an apparatus for controlling a parameter of at least one signal including a controller for "determining a potential condition for receiving an undesired command signal from at least one other control input" and "modifying a parameter of the second command signal in response to the potential condition," as recited in independent claim 8. As set forth above, Brandt discloses setting a parameter prior to use, i.e., establishing a constant parameter and, thus, Brandt does not disclose a controller for modifying a parameter of a second command signal in response to a potential condition for receiving an undesired command signal. Therefore, Brandt cannot anticipate claim 8. Accordingly, Applicants submit that independent claim 8 is allowable for at least this reason and request reconsideration of the rejection set forth in the Office Action.

Additionally, dependent claims 9-15 are also allowable for this reason as well as for their additional features.

Regarding independent claim 18, Brandt does not disclose, inter alia, a method for delivering a command signal including "selectively passing the second command signal through a control function to selectively control a parameter of the second command signal as a function of the first command signal" and "subsequently removing the control function from the second command signal" as recited in claim 18. As set forth above, Brandt discloses setting a parameter prior to use, i.e., establishing a constant parameter. Brandt does not disclose or suggest selectively passing the second command signal through a control function or subsequently removing the control function. For at least this reason, Brandt cannot anticipate claim 18. Accordingly, Applicants submit that independent claim 18 is allowable and request reconsideration of the rejection set forth in the Office Action. Additionally, claims 19 and 20 are allowable for at least this reason as well as for their additional features.

Obviousness Rejections

In the Office Action, claim 16 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brandt in view of US Patent Application Publication 2003/0060906 to Kim (Kim). Applicants respectfully traverse this rejection. A proper prima facie case of obviousness requires, inter alia, that the combined prior art references must teach or suggest all the claim limitations. See MPEP § 2142. The obviousness rejection set forth in the Office Action improperly establishes that Brandt in view of Kim discloses all of the claim limitations.

Kim discloses a remote control system for a vehicle actuator including a transmitter module 22, an output processor 38, and a radio frequency output transmitter 40 that transmits signals to a receiver module 42. See paragraphs [0030] and [0031] of Kim. The receiver module 42 includes a microprocessor 36 which converts the signals into a set of commands to initiate one or more output ports 50 that can be operatively connected to initiate vehicle actuators 100 to control the up and down motion of vehicle 102. See paragraphs [0032] and [0033] of Kim. Kim further discloses in paragraph [0002] that simultaneous operation of two actuators with the same hand establishes a slight elapse of time between the operation of the actuators, which prevents a smooth operation of the actuators. See paragraph [0002] of Kim.

First, Kim does not cure the deficiencies set forth above with respect to the disclosure of Brandt. Although Kim discloses transmitting signals, Kim is silent with respect to any parameters associated with the signals. Thus, Kim cannot disclose that any parameters are adjusted and, therefore, cannot cure the deficiencies of Brandt.

Second, the reliance within the Office Action on Kim with respect to claim 16 appears misplaced. Claim 16 recites "removing the adjusted parameter from the undesired command signal after an elapsed period of time." The Office Action states that "Kim discloses the undesired command signal after an elapsed period of time." See Page 8 of the Office Action. Any reliance on Kim to teach removing an adjusted parameter from an undesired command signal after an elapsed period of time is misplaced. The teachings of Kim are limited to identifying that simultaneous operation of two actuators with the same hand establishes an elapsed period of time between operation of the two actuators. The mere reference in paragraph [0002] of an elapsed

period of time does not establish that Kim teaches removing an adjusted parameter from an undesired command signal after an elapsed period of time as required by claim 16. Accordingly, Applicants submit that claim 16 is allowable for at least this reason and request reconsideration of the rejection set forth in the Office Action.

Conclusion

Applicants respectfully request reconsideration and allowance of claims 1-20.

The Office Action contains characterizations of the claims and the related art, with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicants' undersigned representative at 202-408-4397.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account no. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 12, 2006

By:



Timothy P. McAnulty
Reg. No. 56,939